THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.23791 of 2005

Date: 21.11.2005

Between:

Gattu Shakuntala

…. Petitioner

and

The Sub-Treasury Officer, Manthani, Karimnagar district & others.

….. Respondents.

THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.23791 of 2005

ORDER: *(per the Hon'ble Smt. Justice T. Meena Kumari)*

This is a taken up case on the petition, dated 29.10.2005, sent by the petitioner calling for the records and remarks from the respondents in connection with (i) sanctioning family pension of Rs.700/- per month after eight months of the death of her husband viz. late G. Satyanarayana, who died in 1982, while he was working as Additional Assistant Engineer in Irrigation Department, in

Adilabad, and not issuing her any pension book; (ii) deducting Rs.800/- from her monthly pension amount since four years, after the enhancement of the pension to Rs.4,000/- by the Sub-Treasury office saying that the office concerned by oversight paid excess amount of Rs.1,42,875/- into her account; (iii) deducting from the next month an amount of Rs.1,600/- per month from the petitioner's monthly pension; and (iv) deducting only Rs.1,000/- since one year, from her monthly pension.

The main controversy in the writ petition is with regard to deduction of the amount out of the pension of the petitioner, on the ground that she has been paid an excess amount of Rs.1,42,875/-.

This Court, through order, dated 08.11.2005, directed the respondents to file counter-affidavit. In the counter-affidavit filed on behalf of the first respondent, it has been stated that the Accountant General, A.P., Hyderabad, who is the sanctioning authority of the pension, during inspection of Sub-Treasury Office, Manthani pointed out excess payment to the petitioner and accordingly ordered its recovery. Accordingly, the recovery from the pension of the petitioner was commenced from Rs.800/- and from time to time the same was enhanced to Rs.1,600/- p.m. Subsequently, on the representation being given by the petitioner, the recovery was reduced to Rs.1,000/- p.m. with effect from June 2005.

The learned Government Pleader for Finance & Planning submits that as on today the petitioner is getting monthly pension of Rs.3,000/-. In that view of the matter and in order to meet the ends of justice, we direct the respondents to deduct Rs.500/- (Rupees Five hundred only) p.m. from the pension of the petitioner, instead of Rs.1,000/-, till the balance amount is cleared.

With the above said direction, the writ petition is disposed of. There shall be no order as to costs.

(T. MEENA KUMARI.J)

(K.C. BHANU.J)

Date: 21.11.2005

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